



Douglas County
Administrative Hearing Panel

AGENDA ACTION SHEET

1. **Title:** For possible action. Discussion of Land Division Application (LDA) 16-003, a request for a Tentative Parcel Map to divide a 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres. The subject property is located at 1516 Chance Road in the RA-10 (Rural Agriculture, 10-acre minimum parcel size) zoning district in the East Valley community plan. APN 1320-27-002-008. The applicant is Jeff Jarboe of Bently Enterprises, LLC. The Administrative Hearing Panel may approve, approve with modifications or deny the request.
2. **Recommended Motion:** Approve Land Division Application (LDA) 16-003, for Jeff Jarboe, representing Bently Enterprises, LLC, a Tentative Parcel Map to divide 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres based on the findings and conclusions in the staff report and subject to the recommended conditions.
3. **Prepared by:** Lucille Rao and Natalia Moore – Community Development Department
4. **Meeting Date:** March 10, 2016 **Time Required:** 15 Minutes
5. **Agenda:** Public Hearing **Public Hearing Required:** Yes
6. **Background Information:** Douglas County Code, Chapters 20.712, contains the provisions and findings required by the Administrative Hearing Panel for granting approval of a Tentative Parcel Map.
7. **Committee/Other Agency Review:** N/A
8. **Reviewed by:**
 Planning Manager  Community Development Director
9. **Commission Action:**

<div><input type="checkbox"/> Approved</div> <div><input type="checkbox"/> Denied</div> <div><input type="checkbox"/> Other</div>	<div><input type="checkbox"/> Approved with Modifications</div> <div><input type="checkbox"/> Continued</div>
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Agenda Item # 1



COMMUNITY DEVELOPMENT

1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

FAX: 775-782-6297

website: www.douglascountynv.gov

Planning Division
Engineering Division
Building Division
Code Enforcement

MEMORANDUM

Date: March 10, 2016

To: Douglas County Administrative Hearing Panel

From: Lucille Rao, Assistant Planner
Natalia Moore, Civil Engineer I

Subject: LDA 16-003 (Tentative Parcel Map); for Jeff Jarboe, representing Bently Enterprises, LLC. Located at 1516 Chance Road, Minden, NV APN: 1320-27-002-008

I. REQUEST

Land Division Application (LDA) 16-003 a request to divide a 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres. The subject property is located at 1516 Chance Road in the RA-10 (Rural Agriculture, 10-acre minimum parcel size) zoning district in the East Valley community plan. APN: 1320-27-002-008

II. RECOMMENDATION

Approve Land Division Application (LDA) 16-003, for Jeff Jarboe, representing Bently Enterprises, LLC, a Tentative Parcel Map to divide 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres based on the findings and conclusions in the staff report and subject to the recommended conditions

THE FOLLOWING CONDITIONS MUST BE MET PRIOR TO FINAL MAP SUBMITTAL:

1. The applicant shall dedicate 30 feet of right-of-way from the centerline of Orchard Road east.
2. The applicant shall dedicate 40 feet of right-of-way from the centerline of Buckeye Road south.
3. The applicant shall dedicate 50 feet of right-of-way along property frontage for Chase Road.

4. Based on the fact that this property lies outside a sewer service area the development is approved for an individual sewage disposal system. The following applies:
 - a. The Nevada Division of Environmental Protection Agency (NDEP) recommended approval with regards to water pollution control and sewage. The property may be served by a conventional individual sewage disposal system.
5. The applicant must meet the water rights requirements in Douglas County Code, Section 20.100.040, and relinquish 2.0 acre-feet of water rights to the State Engineer, unless another amount is required by the State Engineer. In addition, the applicant must verify the required number of water rights has been relinquished by providing to the County a copy of the fully executed Affidavit of Relinquishment.
6. The applicant must submit an application and appear before the Water Conveyance Advisory Committee (WCAC), and provide evidence that all conditions placed on the project by WCAC have been met.

THE FOLLOWING CONDITIONS MUST BE MET WITH THE SUBMITTAL OF A FINAL MAP:

7. The final map must show notes that read as follows:
 - a. A seven and on-half (7.5) foot wide public utility easement along all road frontages and a five (5) foot wide public utility easement along the side and rear lot lines.
 - b. Any further division of these parcels may be subject to subdivision improvements as provided under NRS 278.462(3).
 - c. Douglas County does not insure the development of any lot(s) where wells or septic systems are required for water and sewer service.
 - d. Parcels will be required to comply with Douglas County Code, Section 20.100.040, if the parcel connects to a public water system.
 - e. The use of an individual sewage disposal system is for temporary use only. The parcel must connect to a community sewer system when such system is within 330 feet of the parcel.
 - f. The subject property lies within the "X-unshaded" flood zone, per community FIRM Panels No. 32005C0254G and 32005C0255G, effective date January 20, 2010.
 - g. Maintenance of all drainage facilities and easements must be the responsibility of the individual property owners or other private entity, including a homeowner's association. Douglas County rejects any offer of dedication of drainage facilities or drainage easements.
 - h. Obstructing the flow or altering the course of a drainage channel is prohibited, unless permitted by authorizing agency.
 - i. No secondary power is provided and it is the responsibility of the parcel owner to provide the facilities and connections required by the power provider for secondary power, including connection fees, transformers, poles and line extensions.

- j. No drainage rock shall be placed within the public right-of-way maintained by Douglas County.
- 8. Based on conditions 1 through 3, the proposed property lines must be adjusted to yield lots that are a minimum of 10 net acres each.
- 9. The applicant must submit a copy of a recorded deed restriction stating the following:

“Douglas County has declared it a policy to protect and encourage agricultural operations. If your property is located near an agricultural operation, you may at some time be subject to inconvenience or discomfort arising from agricultural operations. If conducted in a manner consistent with proper and accepted standards, these inconveniences and discomforts do not constitute a nuisance for purposes of the Douglas County Code.”
- 10. The applicant must submit documentation that all property taxes and any agricultural liens of the property have been paid in full for the current fiscal year.
- 11. The applicant must comply with the Final Map requirements as prescribed by NRS 278 and Douglas County Code, Section 20.712.
- 12. The applicant must submit an affidavit stating that the person proposing to divide the land, or any successor in interest, will make provision for the payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923.

THE FOLLOWING CONDITION IS APPLICABLE THROUGHOUT THE LIFE OF THE PROJECT:

- 13. This Tentative Map approval will expire one year from the date of approval if a final map application that conforms to all the conditions of approval is not recorded prior to the expiration date. Extensions of time may be granted in accordance with Douglas County Code, Section 20.712.030.

III. BACKGROUND

APPLICANT/OWNER: Jeff Jarboe, Bently Enterprises, LLC
1597 Esmeralda Avenue
Minden, NV 89423

ENGINEER/REPRESENTATIVE: Richard Byrem
Resource Concepts, Inc.
P.O. Box 11796
Zephyr Cove, NV 89448

EXISTING LAND USE: Rural Agricultural/Vacant Parcel

PROPOSED USE: No change in use, proposes one additional parcel

MASTER PLAN DESIGNATION: Rural Residential

ZONING DESIGNATION: RA-10 (Rural-Agricultural, 10-acre minimum parcel size)

The applicant is proposing to subdivide a 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres. The existing parcel is currently owned by Bently Enterprises, LLC.

Property owners within 1150 feet of the subject site were noticed of the request (*See Attachment 2 Noticing Radius Map*).

IV. DISCUSSION AND EVALUATION

The Land Division Application for a Tentative Parcel Map has been submitted pursuant to the Douglas County Development Code, Chapters 20.712 Parcel Maps. Staff has reviewed the project and offers the following comments:

Land Use and Zoning: The 23.448 acre parcel is designated as Rural Residential in the East Valley Community Plan and is currently a vacant parcel. The surrounding land uses are Rural Residential and Industrial.

Water & Sewer: The parcel is not within the urban service area for water and sewer. The applicant must relinquish 2.0 acre-feet of water rights to the State Engineer and has been approved by NDEP for an individual sewage disposal system.

Utilities: Per County policy No. 04-09 (*See Attachment 5*), divisions of land of parcels greater than 1.5 net acres that lie outside an urban service area are not required to provide secondary power to the parcel(s). Letters of intent to serve the parcels have been received from NV Energy, Frontier Communications, and Southwest Gas.

Access/Roads: Access to the existing and proposed parcel exists via Chance Road; improvements are not required with this land division.

Traffic: The traffic generated by the newly created parcel is below the 500 Average Daily Trips and 80-peak hour trip threshold established by the County for requiring a detailed traffic analysis. The added traffic along Chance Road will not adversely affect the current condition of the existing roads.

Floodplain: The subject property is within the "X-unshaded" flood zone, per community FIRM Panels No. 32005C0254G and 32005C0255G, effective date January 20, 2010.

V. FINDINGS

Pursuant to the Douglas County Development Code, Section 20.712.060, the following findings must be made for approval of a Land Division Application (Tentative Parcel Map):

1. The property to be divided is zoned for the intended uses and the density and the design of the division conforms to the requirements of the zoning regulations contained in the development code and the Tahoe Regional Planning Agency requirements.

Staff response: The parcel is zoned RA-10 (Rural-Agricultural, 10-acre minimum parcel size) and the proposed land division is consistent with County Code Chapter 20.712.030. Minimum lot size in the RA-10 zoning district is 10 acres. The proposed land division will result in a 13.081 acre and a 10.367 acre parcel. As conditioned (see conditions 1, 2, 3,) the proposed parcel map is required to dedicate right-of way and provide a revised final map showing a minimum of ten net acres per parcel.

2. The proposed parcel map conforms to public facilities and improvement standards contained of this land development code.

Staff response: The proposed parcel map has been conditioned and approved for Individual Sewage Disposal Systems and wells to service the parcels. The subject property is outside the service area for water and sewer; if the property owner wanted to connect to the Town of Minden water they could request Annexation to the Town. The Town of Minden Well #8 is approximately 805 feet from the western edge of the parcel. Sewer connection to the Minden-Gardnerville Sanitation District would require a contract of service. The parcel is outside the service area for sewer and is approximately 800 feet from the nearest connection point.

3. The proposed parcel map conforms to the improvement and design standards contained in this title.

Staff response: The proposed parcel map has been conditioned to dedicate the following roadway; 30 feet of right-of-way from the centerline of Orchard Road east, 40 feet of right-of-way from the centerline of Buckeye Road south, 50 feet of right-of-way along property

frontage for Chase Road. With regards to electric, phone, cable and gas the following pertains to this project; Per County policy No. 04-09 (See Attachment 5), divisions of land of parcels greater than 1.5 net acres that lie outside an urban service area are not required to provide secondary power to the parcel(s).

4. There are no delinquent taxes or assessments on the land to be divided, as certified by the county treasurer.

Staff response: All taxes have been paid in full for the year per the County Treasurer.

5. The project is not located within an identified archeological or cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.

Staff response: The property is not located within any known archeological or cultural study area recognized by Douglas County.

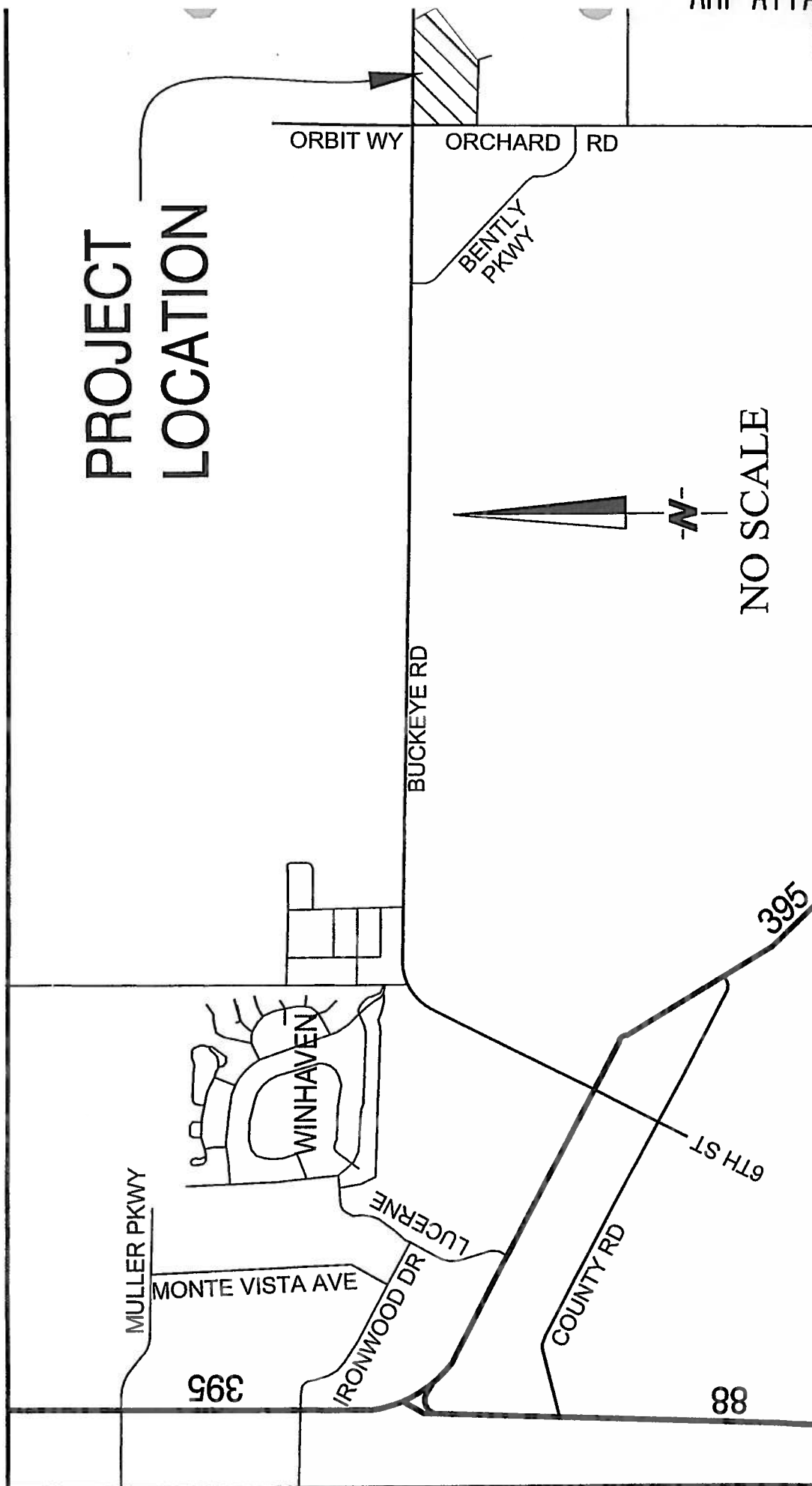
VII. CONCLUSION

County Staff has found the proposed tentative parcel map to be in conformance with the County's development code and subject to the conditions of approval. As a result, staff is recommending approval of the tentative parcel map.

Attachments:

1. Vicinity Map
2. Noticing Radius Map
3. Tentative Parcel Map
4. Applicant's Statement of Justification
5. Policy No. 04-09

PROJECT LOCATION



RECEIVED

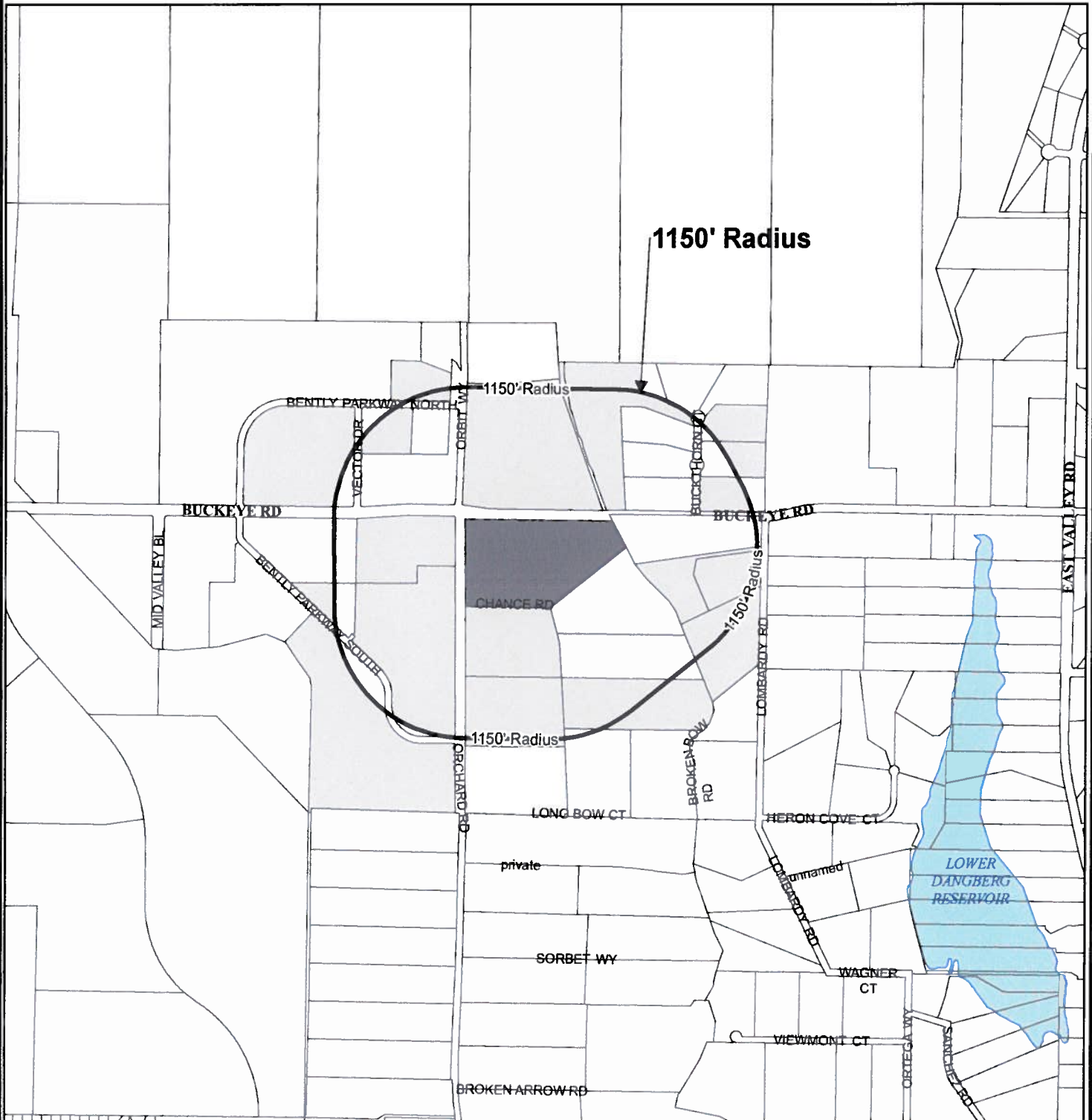
FEB 02 2016

DOUGLAS COUNTY
COMMUNITY DEVELOPMENT

Douglas County Noticing Radius Map

1150' Radius

APN: 1320-27-002-008



1 inch = 1,200 feet

Print Date: 12/17/2015

Legend

Noticing Radius
 Subject Parcel(s)
 Parcels Within noticing Radius



The data contained herein has been compiled on a geographic information system for the use of Douglas County. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Douglas County as to the sufficiency or accuracy of the data.



LOCATED UNDER A PORTION OF THE WALL OF SECTION 27,
212 N. 2ND ST. N.W.

STANLEY COUNTY, MISSISSIPPI

(c) FISCAL YEAR FOR ALEX L. ROBINSON, BOSTON, MAILED FOR RECORDS JULY 25, 1968, AS DOCUMENT NO. 29892, OFFICE, RECORDS, OF COCKERILL COUNTY, MINN.

(d) FISCAL YEAR NO. 013 OF BRADY BUCKLEY, MAILED FOR RECORDS SEPTEMBER 12, 1968, AS DOCUMENT NO. 29897, OFFICE, RECORDS, OF COCKERILL COUNTY, MINN.

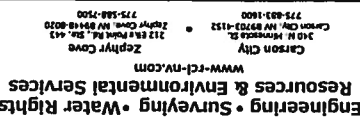
1. NO AGENT IS TO BE ASSIGNED UNTIL IT IS PROVED SATISFACTORY TO THE CHIEF OF THE BUREAU THAT THE AGENT HAS BEEN PROBABLY TRAINED TO PERFORM THE PLACED ASSIGNMENT AND THAT HE HAS SUFFICIENTLY BEEN INSTRUCTED IN THE PLACED ASSIGNMENT BY THE CHIEF OF THE BUREAU.
2. THE AGENT MUST OBTAIN IN PLACED ASSIGNMENT:
3. ANY FURTHER CHANGES OF PLACED ASSIGNMENT MUST BE REPORTED TO SUPERVISOR IMMEDIATELY AFTER THE CHANGES HAVE BEEN MADE.
4. CONTINUATION OF ASSIGNING THE CHIEF OF A DOMESTIC COUNCIL, IF NECESSARY, MUST BE PREVENTED BY SUPERVISOR AGENT.
5. CONTINUED FROM COUNCILS COUNTRY LEAVE.
6. ALL DOMESTIC TRAVEL AGENTS WILL BE LIMITED TO COUNTRY TRIP.
7. NO DOMESTIC TRAVEL AGENTS WILL BE PERMITTED TO CONDUCT MORE DOMESTIC TRIP IN EXCESS OF TWO.

THE 1987 BUDGET BILL " (112-27-001-000) IS NOW ON FILE WITH THE U.S. HOUSE OF REPRESENTATIVES FOR REVIEW. THE HOUSE OF REPRESENTATIVES HAS A COMMITTEE ON THE BUDGET, WHICH IS CURRENTLY REVIEWING THE BUDGET BILL.

☐ FORD 1/4" KERN 500, PLS 200
☐ FORD INDEPENDENT AS BIDS
☐ FORD 1/4" KERN 500, PLS 200
☐ 27 1/4" KERN 500 PLS 200, ON 10/10/20
 W.A. WELLS CORP.
 (A) KERN, SEE REFERENCES
 (A) KERN, SEE REFERENCES
 (A) KERN
 DATE OF PROJECT
 PROJECT CODE

CONTOURS PER DOUGLAS COUNTY LIDAR DATA
CONTOUR INTERVAL: 2'

SCALE: 1" = 50'

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JOB NO.	15-23A.1
DATE	20/7/76
DRAWN	CHU
CHECKED	MSB
REVISED	

**STATEMENT OF JUSTIFICATION
Bently Enterprises LLC
APN 1320-27-002-008**

**Prepared By: Resource Concepts, Inc.
January 29, 2016**

Introduction

This project involves the parceling of an existing 23.448-acre property into two parcels. New Parcel 1 will be 13.081 acres and New Parcel 2 will be 10.367 acres. No new development is anticipated.

The proposed project complies with all applicable master plan, zoning ordinances and NRS requirements. Further, utility companies serving this area have acknowledged their intent to serve this property

1.0 Zoning & Master Plan Designation

The property is currently zoned RA-10 -. The zoning will remain the same on the 2 new parcels

600 -

According to the Douglas County Planning Department, the property has a Master Plan designation of 600. Surrounding properties are Single Family Residential., Single Family Residential Vacant, General Industrial and commercial Industrial.

2.0 Tentative Parcel Map Consistency with Planned Facilities

The Tentative Parcel Map, provided within this submittal packet, is consistent with available public facilities and infrastructure

3.0 Tentative Parcel Map Consistency with Improvement Standards

The Tentative Parcel Map, provided within this submittal packet, is consistent with the Douglas County Improvement Standards. Legal access is available to serve the property. In accordance with instructions from the Douglas County Planning Department; the Tentative Parcel map application complies with certain other conditions normally applicable to subdivision approval.

4.0 Tentative Parcel Map Consistency with the Following:

- a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.***

Water & Air Pollution: This project involves the parceling of an existing 23.448-acre property into two parcels. No changes to current zoning are requested and no new buildings are planned. Based on the nature of this project, water and air quality are not expected to be adversely affected.

Sewage Disposal: There is no development associated with this application, sewer could be accommodated by a septic system if development is warranted in the future.

Domestic Water Service. There is no development associated with this application, water could be accommodated by a domestic well if development is warranted in the future.

The availability and accessibility of utilities.

Electricity: The Sierra Pacific Power Company (SPPCo) serves this area, and has the ability and willingness to provide power to the site. As such, they have provided a letter of their intent to serve this property.

Telephone: Frontier serves this area, and has the ability and willingness to provide telephone service to the site. As such, they have provided a letter of their intent to serve this property.

Natural Gas: SouthWest Gas serves this area, , and has the ability and willingness to provide power to the site. As such, they have provided a letter of their intent to serve this property.

b. ***The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks.***

The Tentative Parcel Map requires no changes to availability or accessibility of existing public services.

5.0 There are no delinquent taxes or assessments on the parcel to be divided, as certified by the Douglas County Treasurer.

A tax receipt signed by the County Treasurer is included as part of this application packet. There are no taxes due for the current fiscal year on the subject property.

6.0 The project is not located within an identified archeological or cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings of the report.

The project is not located within an identified archeological or cultural study area.

DOUGLAS COUNTY
BOARD OF COMMISSIONERS

Number 04-09

POLICY AND PROCEDURES

Effective Date August 5, 2004

SUBJECT: ELECTRICAL POWER REQUIREMENTS
FOR LAND DIVISIONS

Authority DCC

County Manager Sam Haller

I. Purpose:

To clarify electrical power requirements for Land Divisions.

II. Scope:

Land Divisions.

III. Procedures:

Douglas County Code Chapter 20.220 which provides the procedures and requirements for undergrounding utilities, and also the procedures and requirements for exemptions, does not distinguish between primary and secondary power. This silence and the reluctance by the power company to install secondary power to larger parcels (2 acres and up) prompts staff to recommend the Board adopt the following policy:

"Parcels greater than 1.5 net acre in size, created by subdivisions or parcel maps outside urban service areas, may be served by primary power. Parcels within urban service areas, or 1.5 net acre and less in size, shall be served by secondary power. A note shall be placed on final maps creating parcels served by primary power only stating that no secondary power is provided, and that it is the responsibility of the parcel owner to provide the facilities and connections required by the power provider for secondary power, including connection fees, transformers, poles and line extensions".

Any person aggrieved by the application of this policy may appeal the determination to the Board of County Commissioners.